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GATEWAY, INC. ATTN: PATENT ATTORNEY 610 GATEWAY DR. MAIL DROP Y-04 N. SIOUX CITY, SD 57049			EXAMINER STRANGE, AARON N	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/752,666	Applicant(s) LIEBENOW, FRANK	
	Examiner Aaron Strange	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,7-12,14,15,17,18 and 21-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,7-12,14,15,17,18 and 21-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claim 1,2,7-12,14,15,17,18 and 21-32 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claims 12 and 33 objected to because of the following informalities:
 - a. Claim 12 contains a typographical error "step steps of" in lines 1-2.
 - b. Claim 33 is missing punctuation after "the storing step" in line 2.Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 8 recites the limitation "the specifying step" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim. For the purpose of applying prior art, this has been interpreted as referring to the obtaining step of claim 1.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1,2,7,8,12,14,15,17,18,21-25,29-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Adams et al. (US 5,873,100).

8. **With regard to independent claim 1**, Adams discloses a method comprising the steps of:

receiving, by a client system, in response to a request by a user of the client system, data from a network in a distributed system (Col 3, Lines 47-49 and 62-65);

obtaining, by said client system from the user of the client system, an indication of a minimum length of time during which the received data is to be temporarily stored (Col 3, Lines 22-26); and

storing temporarily on the client system at least a portion of the received data for a period of at least the minimum length of time indicated by the user at the client system (document remains a keep document for at least the time period and only non-keep documents are deleted)(Col 3, Lines 66-67 and Col 4, Lines 3-4).

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9. With regard to claim 2, Adams further discloses that the received data is stored in a memory space accessible by the client system as cache (Col 3, Lines 66-67).

10. With regard to claim 7, Adams further discloses the step of designating, on said client system, that the received data be temporarily stored (Col 3, Lines 25-28), wherein the designating step includes a step of presenting a user with a window for user input (Col 3, Lines 12-20).

11. With regard to claim 8, Adams further discloses that the specifying step is carried out by a user in real time (Col 3, Lines 15-16).

12. With regard to claim 21, Adams further discloses inquiring of the user of the client system whether the received data should be temporarily saved (Col 3, Lines 12-16 and 22-28).

13. With regard to claim 22, Adams further discloses receiving an indication from the user that the at least a portion of the received data is to be temporarily stored (user designates a keep document) (Col 3, Lines 12-16 and 22-28).

14. With regard to claim 23, Adams further discloses prompting the user of the client system to enter the minimum length of time to temporarily store the received data (keep documents may be time limited)(Col 3, Lines 22-28).

15. With regard to claim 24, Adams further discloses accepting from the user of the client system the indication of the minimum length of time (Col 3, Lines 22-28).

16. With regard to claim 25, Adams further discloses deleting from storage at least a portion of the received data on a first in/first out basis upon the passage of the minimum length of time indicated by the user (Col 4, Lines 3-4).

17. With regard to claim 29, Adams further discloses that obtaining the indication of the minimum length of time occurs after the step of receiving the requested data (Col 3, Lines 12-20).

18. With regard to claim 30, Adams further discloses that the minimum length of time received from the user is applied only to the received data (keep documents are individually designated)(Col 3, Lines 12-16).

19. With regard to claim 31, Adams further discloses that the client system erases only the particular received data after the minimum length of time received from the user (document will revert to being a non-keep document, which is deleted when the cache fills) (Col 3, Lines 27-28 and Col 4, Lines 3-5).

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20. With regard to claim 33, Adams further discloses that the obtaining step is performed at substantially the same time as the storing step (Col 3, Lines 12-20).

21. **With regard to independent claim 12**, Adams discloses a method comprising the steps of:

browsing by a user at a client in order to locate Web page data associated with a specific Web page (Col 3, Lines 47-49 and 62-65);

at said client, entering a time specified by the user for the Web page data associated with the specific Web page (Col 3, Lines 22-26);

storing said Web page data for the specific Web page temporarily in a cache (all documents are stored temporarily)(Col 3, Lines 66-67);

after said user specified time period, deleting the Web page data for the specific Web page from said cache (after document reverts to non-keep, it will be deleted when the cache fills)(Col 4, Lines 3-4).

22. **With regard to independent claim 14**, Adams discloses a client, comprising:

a central processing unit (Col 1, Lines 46-63);

an input device coupled to the central processing unit (Col 1, Lines 46-63);

an output device coupled to said central processing unit (Col 1, Lines 46-63); and

a memory space operatively coupled to said central processing unit for storing data (Col 1, Lines 46-63),

the client being configured to temporarily store data downloaded from a network

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for a minimum period of time specified by a user, after which period of time the stored data is subject to automatic deletion(document remains a keep document for at least the time period and only non-keep documents are deleted)(Col 3, Lines 66-67 and Col 4, Lines 3-4), said user specified minimum period of time being specified by an entry made at said input device by the user (Col 3, Lines 22-26);

wherein the stored data represents a particular Web site image downloaded from the network (Col 3, Lines 47-49 and 62-65) and the user-specified minimum period of time is associated with the stored data of the particular Web site image only (Col 3, Lines 6-11).

23. With regard to claim 15, Adams further discloses that the memory space is a cache memory space(Col 3, Lines 66-67).

24. With regard to claim 17, Adams further discloses that the client is further configured to respond to a user request to display information about the stored data (display keep status of the documents so user may delete them) (Col 4, Lines 9-15).

25. With regard to claim 18, Adams further discloses that the client is further configured to respond to a user request to modify a property of the stored data (existing documents may be designated as keep documents) (Col 3, Lines 18-20).

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26. **With regard to independent claim 32**, Adams discloses a method comprising the steps of:

receiving, by a client system in response to a request by a user of the client system, data for an individual Web page, from a network in a distributed system (Col 3, Lines 47-49 and 62-65);

obtaining, by said client system from the user of the client system and after receiving the data of the individual Web page, an indication of a minimum length of time during which the received data for the individual Web page is to be temporarily stored on the client system (all documents are stored temporarily)(Col 3, Lines 22-26); and

storing temporarily at least a portion of the received data for the individual Web page on the client system for a period of at least the minimum length of time (Col 3, Lines 66-67);

deleting the received data for the individual Web page from the client system after at least the minimum length of time (after document reverts to non-keep, it will be deleted when the cache fills)(Col 4, Lines 3-4).

Claim Rejections - 35 USC § 103

27. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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28. Claims 1,2,7,8,12,14,15,18,21-26 and 29-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mantha et al. (US 6,163,779) in view of Adams et al. (US 5,873,100).

29. **With regard to independent claim 1**, Mantha discloses a method comprising the steps of:

receiving, by a client system, in response to a request by a user of the client system, data from a network in a distributed system (Web page is accessed) (Col 8, Lines 28-39);

storing temporarily on the client system at least a portion of the received data at the client system (Page is copied to local hard drive)(Col 9, Lines 15-18).

Mantha fails to disclose obtaining, by said client system from the user of the client system, an indication of a minimum length of time during which the received data is to be temporarily stored; and storing the data for a period of at least the minimum length of time indicated by the user at the client system.

Adams discloses a similar system for saving web pages to a local cache at a client. Adams teaches allowing the user to specify a minimum length of time to keep a particular document (time-frame designated as a keep document) and storing the document for at least that period of time (Col 3, Lines 12-28). This would have been an advantageous addition to the system disclosed by Mantha since it would have allowed the user to control which documents are to be kept in the cache, ensuring that the pages are always available and available without delay (Adams, Col 2, Lines 21-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user to specify a minimum length of time to retain a particular document, since it would have provided the user with assurance that designated documents would be available in the cache for those time periods.

30. With regard to claim 2, Mantha further discloses that the received data is stored in a memory space accessible by the client system as cache (Subsequent requests for the saved page pull the page from the local hard drive) (Col 12, Lines 30-35).

31. With regard to claim 7, Mantha further discloses the step of designating, on said client system, that the received data be temporarily stored, wherein the designating step includes a step of presenting a user with a window for user input (Window for page allows user to specify what action to take with the current page) (Col 8, Lines 22-26).

32. With regard to claim 8, Adams further discloses that the specifying step is carried out by a user in real time (Col 3, Lines 15-16).

33. With regard to claim 21, Adams further discloses inquiring of the user of the client system whether the received data should be temporarily saved (Col 3, Lines 12-16 and 22-28).

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34. With regard to claim 22, Adams further discloses receiving an indication from the user that the at least a portion of the received data is to be temporarily stored (user designates a keep document) (Col 3, Lines 12-16 and 22-28).

35. With regard to claim 23, Adams further discloses prompting the user of the client system to enter the minimum length of time to temporarily store the received data (keep documents may be time limited)(Col 3, Lines 22-28).

36. With regard to claim 24, Adams further discloses accepting from the user of the client system the indication of the minimum length of time (Col 3, Lines 22-28).

37. With regard to claim 25, Adams further discloses deleting from storage at least a portion of the received data on a first in/first out basis upon the passage of the minimum length of time indicated by the user (Col 4, Lines 3-4).

38. With regard to claim 26, Mantha further discloses providing the user of the client system with an option to delete an earlier version of the received data being stored (any saved pages can be deleted) (Col 9, Lines 38-49).

39. With regard to claim 29, Adams further discloses that obtaining the indication of the minimum length of time occurs after the step of receiving the requested data (Col 3, Lines 12-20).

40. With regard to claim 30, Adams further discloses that the minimum length of time received from the user is applied only to the received data (keep documents are individually designated)(Col 3, Lines 12-16). Mantha discloses that the received data is a Web page (Col 9, Lines 15-18).

41. With regard to claim 31, Adams further discloses that the client system erases only the particular received data after the minimum length of time received from the user (document will revert to being a non-keep document, which is deleted when the cache fills) (Col 3, Lines 27-28 and Col 4, Lines 3-5). Mantha discloses that the received data is a Web page (Col 9, Lines 15-18).

42. With regard to claim 33, Adams further discloses that the obtaining step is performed at substantially the same time as the storing step (Col 3, Lines 12-20).

43. **With regard to independent claim 12**, Mantha discloses a method comprising: browsing by a user at a client in order to locate Web page data (User accesses a Web page) (Col 8, Lines 28-29) associated with a specific Web page; and storing said Web page data for the specific Web page temporarily in a cache (page is copied to local hard drive via save operation)(Col 8, Line 40 to Col 9, Line 14). However, Mantha fails to disclose entering a time specified by the user for the Web page data associated with the

specific Web page, and after said user specified time period, deleting said Web page data for the specific Web page from said cache.

Adams discloses a similar system for saving web pages to a local cache at a client. Adams teaches allowing the user to specify a minimum length of time to keep a particular document (time-frame designated as a keep document) and storing the document for at least that period of time (Col 3, Lines 12-28). After the time period passes, it will be deleted when the cache fills (Col 4, Lines 3-5). This would have been an advantageous addition to the system disclosed by Mantha since it would have allowed the user to control which documents are to be kept in the cache, ensuring that the pages are always available and available without delay (Adams, Col 2, Lines 21-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user to specify a minimum length of time to retain a particular document, since it would have provided the user with assurance that designated documents would be available in the cache for those time periods.

44. **With regard to independent claim 14**, Mantha discloses a client comprising: a central processing unit (Col 6, Lines 42-45), an input device coupled to said central processing unit (keyboard. and/or remote) (Col 6, Lines 30-39); an output device coupled to said central processing unit (monitor/television) (Col 6, Lines 52-55)', and a memory space operatively coupled to said central processing unit for storing data (hard drive) (Col 7, Lines 13-15), the client being configured to

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temporarily store data downloaded from a network (Col 1 , Lines 62-65), wherein the stored data represents a particular Web site image downloaded from the network (Col 9, 15-18). Mantha fails to disclose that the particular data is stored for a user specified minimum period of time, after which period of time the stored data is subject to automatic deletion, said user specified minimum period of time specified by entry made at said input device.

Adams discloses a similar system for saving web pages to a local cache at a client. Adams teaches allowing the user to specify a minimum length of time to keep a particular document (time-frame designated as a keep document) and storing the document for at least that period of time (Col 3, Lines 12-28). After the time period passes, it will be automatically deleted when the cache fills (Col 4, Lines 3-5). This would have been an advantageous addition to the system disclosed by Mantha since it would have allowed the user to control which documents are to be kept in the cache, ensuring that the pages are always available and available without delay (Adams, Col 2, Lines 21-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user to specify a minimum length of time to retain a particular document, since it would have provided the user with assurance that designated documents would be available in the cache for those time periods.

45. With regard to claim 15, Mantha further discloses that the memory space is a cache memory space (Subsequent requests for the saved page pull

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the page from the local hard drive)(Col 12, Lines 30-35).

46. With regard to claim 17, Adams further discloses that the client is further configured to respond to a user request to display information about the stored data (display keep status of the documents so user may delete them) (Col 4, Lines 9-15).

47. With regard to claim 18, Adams further discloses that the client is further configured to respond to a user request to modify a property of the stored data (existing documents may be designated as keep documents) (Col 3, Lines 18-20).

48. **With regard to independent claim 32**, Mantha discloses a method comprising the steps of:

receiving, by a client system, in response to a request by a user of the client system, data for an individual Web page, from a network in a distributed system (Web page is accessed) (Col 8, Lines 28-39);

storing temporarily on the client system at least a portion of the received data for the individual Web page on the client system (Page is copied to local hard drive)(Col 9, Lines 15-18).

Mantha fails to disclose obtaining, by said client system from the user of the client system and after receiving the data of the individual Web page, an indication of a minimum length of time during which the received data is to be temporarily stored; storing the data for a period of at least the minimum length of time indicated by the user

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at the client system; and deleting the received data for the individual Web page from the client system after at least the minimum length of time.

Adams discloses a similar system for saving web pages to a local cache at a client. Adams teaches allowing the user to specify a minimum length of time to keep a particular document (time-frame designated as a keep document) and storing the document for at least that period of time (Col 3, Lines 12-28). After the time period passes, it will be automatically deleted when the cache fills (Col 4, Lines 3-5). This would have been an advantageous addition to the system disclosed by Mantha since it would have allowed the user to control which documents are to be kept in the cache, ensuring that the pages are always available and available without delay (Adams, Col 2, Lines 21-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user to specify a minimum length of time to retain a particular document, since it would have provided the user with assurance that designated documents would be available in the cache for those time periods.

49. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mantha et al. (US 6,163,779) in view of Adams et al. (US 5,873,100) in further view of Lambert et al. (US 6,038,601).

50. With regard to claim 9, while the system disclosed by Mantha and Adams shows substantial features of the claimed invention (discussed above), it fails to disclose

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reading an instruction provided with the received data, wherein the instruction indicates that the received data should be temporarily stored.

Lambert discloses a similar system for saving web pages on a local cache. Lambert teaches reading an instruction provided with the received data, wherein the instruction indicates that the received data should be temporarily stored (Section 3.4; Col 12, Lines 49-67). Lambert teaches that the content provider may provide an expiration date with served content, and the local cache will serve content from the local cache until the expiration date has passed. At that time, it will check with the server to determine if the content has changed. This would have been an advantageous addition to the system disclosed by Mantha and Adams since it would have allowed the content provider to inform the user when the served content is likely to have changed, giving them the opportunity to check for updates if desired.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an instruction with the received data that indicates that the received data should be temporarily stored, since it would have informed the user when the content provider expects the data to have changed, giving them the opportunity to check for updates.

51. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mantha et al. (US 6,163,779) in view of Adams et al. (US 5,873,100) in further view of Motoyama et al. (US 6,304,948).

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52. With regard to claim 10, while the system disclosed by Mantha and Adams shows substantial features of the claimed invention (discussed above), it fails to disclose deleting the data immediately after the specified minimum length of time has passed.

Motoyama discloses a system for handling data with assigned expiration dates. Motoyama teaches deleting the data immediately after a specified time period (at least Col 5, Lines 53-57). This would have been an advantageous addition to the system disclosed by Mantha and Adams because it would have ensured that pages would not be kept beyond their specified time period and would be removed from the cache immediately, freeing up cache space and disposing of unwanted data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to delete the stored pages immediately upon expiration of the minimum length of time since it would have freed up cache space and removed unwanted data.

53. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mantha et al. (US 6,163,779) in view of Adams et al. (US 5,873,100) in further view of Porter (US 6,476,827).

54. With regard to claim 11, while the invention disclosed by Mantha in view of Adams shows substantial features of the claimed invention (discussed above), it fails to

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disclose that the data is a first Web page containing a hyperlink to a second Web page and the storing step includes storing data of the second Web page.

Porter discloses a similar system for saving web pages to a client. Porter teaches traversing the hyperlinks of a first page to retrieve the pages the links point to and saving them in addition to the original page (Col 5, Line 64 to Col 6, Line 1). This would have been an advantageous addition to the system disclosed by Mantha and Adams since it would have ensured that pages referenced in the parent page would also be available to the user during the specified time period.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the web pages linked to by the parent web page when saving a page at the client. Since the pages linked to by the parent page are likely related and of interest to the user, this would have ensures that the pages linked to by the parent page would be available to the user during the specified time period.

55. Claims 27 and 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Mantha et al. (US 6,163,779) in view of Adams et al. (US 5,873,100) in further view of Official Notice.

56. With regard to claims 27 and 28, while the system disclosed by Mantha in view of Adams shows substantial features of the claimed invention (discussed above), it fails to disclose notifying the user of the client system prior to deleting the received data or deleting the data after being authorized by the user.

The Examiner takes Official Notice that it is old and well known in the art to notify a user and obtain permission from them prior to deleting files. This allows the user to monitor which files are being deleted and gives them a chance to stop deletion if they prefer to keep the data. This has been performed in many well-known instances, such as requiring a user to confirm whether or not to empty the Recycle Bin in Microsoft Windows.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to notify the user that the expiration period has expired and obtain permission to delete the expired files prior to deleting them. This would allow the user to stop deletion of any file that they still want to keep.

Conclusion

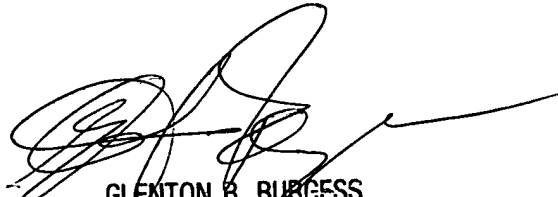
57. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 571-272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AS
2/28/2006



GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100